

12-10-01

RCE/2700#
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Approved for use through 10/31/2002. PTO/SB/30 (08-00)
OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|-----------------|
| Application Number | 09/412,699 |
| Filing Date | October 5, 1999 |
| First Named Inventor | Gerson, Ira A. |
| Group Art Unit | 2683 |
| Examiner Name | P. Sobutka |
| Attorney Docket Number | 04776.81658 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. ☐ Other _____
- b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 22-0259
 - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 12/11/2001 AHONDAF1 00000084 220259 09412699
 - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:279 370.00 CH
 - iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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Technology Center 2600

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

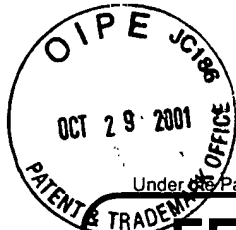
| | | | |
|-------------------|------------------------------|-----------------------------------|----------|
| Name (Print/Type) | Christopher P. Moreno | Registration No. (Attorney/Agent) | 38,566 |
| Signature | <i>Christopher P. Moreno</i> | Date | 10/29/01 |

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail label no. EL707801433US and is addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: October 29, 2001

| | | | |
|-------------------|-------------------------------|------|----------|
| Name (Print/Type) | Christine A. Jaszowski | Date | 10-29-01 |
| Signature | <i>Christine A. Jaszowski</i> | | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 370.00

Complete if Known

| | |
|----------------------|----------------|
| Application Number | 09/412,699 |
| Filing Date | 10/05/1999 |
| First Named Inventor | Gerson, Ira A. |
| Examiner Name | P. Sobutka |
| Group Art Unit | 2683 |
| Attorney Docket No. | 04776.81658 |

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

22-0259

Deposit
Account
Name

Vedder, Price, Kaufman & Kammholz

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

| Code (\$) | Code (\$) | Code (\$) | Code (\$) | Code (\$) | Fee Description |
|-----------|-----------|-----------|-----------|-----------|------------------------|
| 101 | 740 | 201 | 370 | | Utility filing fee |
| 106 | 330 | 206 | 165 | | Design filing fee |
| 107 | 510 | 207 | 255 | | Plant filing fee |
| 108 | 740 | 208 | 370 | | Reissue filing fee |
| 114 | 160 | 214 | 80 | | Provisional filing fee |

Fee Paid

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|---------------------------|--------------|----------------|----------|
| Independent Claims | -20** = | X | |
| Multiple Dependent Claims | -3** = | X | |

Large Entity Small Entity

Fee Fee Fee Fee Fee

Code (\$)

Code (\$)

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Fee Description

| | | | | | |
|-----|-----|-----|-----|--|--|
| 103 | 18 | 203 | 9 | | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity | Small Entity | Fee Code | Fee Code | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | 370.00 |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 370.00

SUBMITTED BY

Name (Print/Type)

Christopher P. Moreno

Registration No.
(Attorney/Agent)

38,566

Complete (if applicable)

Telephone

312-609-7797

Signature

Date

10/29/2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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